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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twenty-second session

SUMMARY RECORD OF THE 17th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 5 May 2000, at 3 p.m.

Chairperson: Mrs. BONOAN-DANDAN

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GE.00-41910 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Review of the implementation of the International Covenant on Economic, Social and Cultural Rights in the Republic of the Congo (without report) (continued)

1. At the invitation of the Chairperson, the members of the delegation of the Republic of the Congo resumed their places at the Committee table.

2. Mr. MENGA (Republic of the Congo) said that his delegation had had time to reflect on the issues raised and was ready to respond to the questions that had been asked. One of those questions had concerned the normalization of political life in the Republic of the Congo. Despite the sudden outbreak of a third civil war in December 1998, the plan sketched out the previous January by the National Forum of Reconciliation and Reconstruction was being put into effect. A preliminary draft constitution had been prepared, which would go before the public for discussion, followed by a referendum. There had also been an effort to carry out a population census. All the members of the Committee had drawn attention to the problem of internal displacement in the Congo. A census was needed therefore to permit the establishment of electoral lists, without which elections would not be possible. A peace agreement between the Government and the opposition's militias had been signed at the end of 1999 under the aegis of President Bongo of Gabon and a follow-up committee had been appointed to watch over its implementation. Peace was the cornerstone of current policy. The follow-up committee would visit all the regions of the country to see for itself what problems remained, particularly in the former war zones. Those problems included weapons collection, the provision of jobs for young ex-militiamen and the reinstatement of former civil servants. The committee would also be responsible for explaining the policies adopted to the population at large. Care had been taken to include in the committee not only representatives of the Government but all national forces, including even some of the warlords who had been responsible for the civil wars. Even the Lissouba party, which had not participated in the National Forum, had joined the provisional Government.

3. That all ethnic groups could live peaceably together had been proved by the fact that refugees driven south by conflict in the north of the country had been taken in by the local population, while a humanitarian corridor had been established in 1998 allowing refugees from the south to reach the north and live in peace with the people there. In keeping with the desire to establish real national unity, legislation was being drafted on political parties. The preliminary draft provided that in order to be recognized as a national body a party must represent at least half the country's 10 regions. The outbreak of the third civil war in 1998 had been due precisely to a failure to respect human rights. Had democracy been upheld, no such situation would have arisen. The Republic of the Congo needed international assistance in order to be able to protect and promote human rights more fully. Help with the teaching of human rights in the Congo would be a way of preventing the resurgence of past errors.

4. Mrs. OBA (Republic of the Congo) said that a number of questions had been asked about polygamy and discrimination against women in the Republic of the Congo. It had been suggested that the Government did not regard those problems as a matter of major concern. She explained that polygamy was a cultural phenomenon deeply rooted in the minds of Africans in general and in the Congo especially. The Government had come to recognize the discrimination against women to which polygamy led and, with the help of experts from UNFPA and UNDP, studies had been carried out which recommended its elimination. A campaign had been launched, with the assistance of a number of NGOs, to explain how polygamy constituted discrimination against women. While the law in the Republic of the Congo had not yet been brought into line with the Convention on the Elimination of Discrimination against Women, the trend was towards greater recognition that they were not treated on an equal footing. She believed that together the Government and civil society would overcome that obstacle to the emancipation of women.

5. Under the Family Code, adopted in 1984, candidates for marriage could decide freely which marital system they wished to apply: polygamy or monogamy. Members of the Committee had asked whether in fact polygamy was tantamount to slavery and whether it was limited to certain ethnic groups. The system of choice she had described applied to all the inhabitants of the territory. There was no specific legislation applying to particular ethnic groups.

6. Mr. CEAUSU (Country Rapporteur), speaking on a point of order, said that it was the Committee's custom to allow short follow-up questions to the replies of government representatives. He would like to know, therefore, whether the choice of system was recorded in some way at the time of the marriage, either through the public registrar or in the marriage certificate. Could a woman married under the system of monogamy be persuaded to accept polygamy later or did the marriage have to remain monogamous?

7. Mrs. OBA (Republic of the Congo) said that the parties to a marriage usually decided together on the kind of regime they wished to follow and once agreed, they went to the civil registrar. If, at that point, the prospective husband, as the family head, said that he chose polygamy, the woman could refuse to have the marriage registered. She agreed that much needed to be done to raise women's awareness of their rights and it was for that reason that the Women's Centre, the Maison de la Femme, had been established. As for the possibility of a subsequent change, the parties to the marriage could go before the civil court with a request for revision of the marriage contract. The court would then decide on the request, provided that both parties agreed to the change.

8. She agreed that, despite the Congo's ratification of the Convention on the Elimination of Discrimination against Women, the Code of Criminal Procedure and the Family Code contained provisions discriminating against women, particularly in regard to evidence in accusations of adultery. There were indeed problems in bringing domestic laws into harmony with international agreements, and consultant experts from international organizations were currently working on the problem. The difficulties arose out of socio-cultural factors, with which the Government was trying to come to grips. Seminars were being held by the Maison de la Femme to make women aware of their legal rights. It was true that there was also a problem of the

under-representation of women in political decision-making. That was not really the fault of the Government either, but rather a question of women's education and training. Women tended not to be involved in politics and few of them stood for election to Parliament. Women throughout Africa had not been given the same educational opportunities as men. The Government of the Republic of the Congo was making every effort to make up for that gap, one proof of which was her own appointment as Director of the Human Rights Division of the Ministry of Justice.

9. In reply to the questions about conjugal violence and rape, she said that both existed in the Congo, as they did in all countries. There were provisions in the Code of Criminal Procedure whereby charges could be brought against abusive husbands or rapists, but women were restrained by custom from doing so. Once they became better informed of their rights, that would change. The solution lay in better education for both men and women. Penalties for rape were provided in the Penal Code. Many women had been raped in the Congo during the recent disturbances and their situation was made worse by the fact that abortion was prohibited save in the case of danger to the mother's health. A woman made pregnant by rape could not obtain an abortion. The Administration was currently looking into the situation in other countries, for example Cameroon where abortion was authorized in cases of rape, and women's organizations were pressing for a similar decision in the Congo.

10. As far as the legal status of children born outside wedlock was concerned, all children born in the Congo enjoyed the same rights. If the man responsible for the pregnancy provided an identity card which allowed the woman to have prenatal care, he was registered as the father and the child took his name. If the man did not do so, the child would bear the name of the woman or another person but could be recognized by the father at a later stage.

11. The independence of the judiciary, which was a basic principle of all democracies, had been affirmed in the Fundamental Act of 1997. Under the new system, which was currently being worked on, judges would be appointed by the President but only if nominated by the Supreme Council of the Magistrature. The machinery for reform was already in place and help in the training of judges was being given by France. It was also hoped, with French help, to reform the prison system. A National Commission on Human Rights was being established, again with French cooperation, for the dissemination and promotion of human rights. For the time being, judges were nominated by the Minister of Justice and appointed by the President. That system had been challenged by the members of the Committee but it was due to change in the near future.

12. Mr. MASSENGO (Republic of the Congo) said that two members of the Committee had asked what was being done to ensure the right to education in the Congo in conformity with the provisions of the Covenant. When it had ratified the Covenant in 1983, the Republic of the Congo had undertaken to provide education for all children of school age as well as for adults and young persons who lacked basic education. As the Committee had been informed, however, the situation in the year 2000 was marked by a fall in enrolment for pre-primary education, which was not compulsory, and in overall admission to compulsory primary education. The same drop-off was observable in secondary and university education. Buildings had grown dilapidated; there were not enough teachers or textbooks, and the schools were also affected by a lack of public transport.

13. Private education had resumed in the Congo in 1990 and the reservation originally entered by the Government in that connection had now lapsed and would be officially withdrawn. The educational system had been State-run when the Congo had acceded to the Covenant and the Government had accordingly been obliged to enter a reservation. Since 1990, private education had been reinstituted and there were currently 209 private primary schools, 175 schools of general education, 50 vocational schools and 26 academic and technical high schools. Both economic and political difficulties had been encountered in implementing the provisions of the Covenant. Even before the civil wars, there had been cuts in the education budget and teachers' pay had been inadequate. The results of the three civil wars, however, had been disastrous. Much of the educational infrastructure had been destroyed and the general impoverishment of families meant that parents did not send their children to school. Older children in particular had lost all interest in school, preferring to work in the markets.

14. Mr. CEAUSU (Country Rapporteur), noting that the school enrolment rate had dropped, that there were not enough school buildings and that those available were in a dilapidated state, that there was a shortage of teachers, and that the proportion of the budget allocated to education had decreased, commented that that situation seemed to have been prevailing for at least 10 years. He would like to know why, in a country that had rich resources, such as oil, so much money was spent on armed conflict instead of on areas such as education. Was it not high time that the political authorities took action to improve the lot of the people, rather than making their situation worse?

15. Mr. MENGA (Republic of the Congo) said that education was not the only area to which money needed to be diverted from funding armed conflict. His delegation would take note of Mr. Ceausu's comment and would include it in the report it made to the Government.

16. Mr. BIABOROH IBORO (Republic of the Congo), replying to a question about the situation of pygmies, said that the Constitution recognized them as Congolese citizens, granting them access to education and work. Everything possible was being done in terms of legislation and Government policy to integrate pygmies into society while also respecting their culture, however, since they constituted a national minority that had opted for a rural existence different from that of the majority of the population, problems sometimes arose in the integration process. He emphasized that many pygmies had paid employment in agriculture and could therefore not be regarded as slaves.

17. Regarding work and social security, the Government was in the process of ratifying the International Labour Organization (ILO) Convention concerning Minimum Standards of Social Security, although it had been applying the provisions of the Convention since the adoption of a law in 1986 instituting the social security code. In addition, a decree had been adopted in 1984 modifying the pension system for civil servants, and another in 1990 stipulating conditions for the granting of family allowances. The National Social Security Fund was the mechanism for guaranteeing social security provision for all workers subject to the labour code, without discrimination of any kind. It covered family allowances, benefits for professionals, pensions and disability benefits. The Civil Servants' Retirement Fund provided pensions for civil servants and military personnel. The money for both funds came from contributions paid by those in employment.

18. Since 1995, because of the drop in civil servants' wages, the public sector recruitment freeze and the money spent on armed conflict, the level of contributions had decreased significantly, while expenditure requirements were constantly increasing. The deficit was currently substantial, which meant that retirement pensions were paid, on average, one month out of three and payments from the National Social Security Fund had stopped altogether. The Government, supported by international organizations, had proposed reforms to address the situation. It had ratified the seven basic ILO conventions and was working towards the ratification of others. It welcomed the offer of help in that regard from the ILO delegate

19. Mr. KOMBO (Republic of the Congo) said the establishment of peace in his country was creating the political climate that was essential for sustainable economic recovery. Another important factor in encouraging recovery had been the adoption in 1992 of an investment code, which had been revised in 1996. It provided for incentives to investors, aimed at promoting research, technological innovation and exports and setting up economic projects in less-developed areas of the country. The Republic of the Congo was a member of the Central African Economic and Monetary Community (CAEMC) and therefore subscribed to that organization's charter, which was an instrument for coordination of economic policies between the organization's member States. The rate of value-added tax in the Republic of the Congo was 6 per cent, in line with the other members of CAEMC. Various structural reforms had been introduced, such as the partial privatization of State enterprises, in which the State retained a maximum of 20 per cent of the equity. Much progress was being achieved in the restructuring of the banking and insurance sectors. In addition, the organic law on the regulation of the financial system had been revised and adopted by the transitional Parliament in its revised version. The law included a provision to give a single body responsibility for decisions on public spending, rather than that responsibility being shared by several different bodies, as had been the case in the past. Other new measures were in place to combat fiscal and customs fraud and to modernize the financial system by introducing new technology.

20. The fight against poverty was a central focus of the Government's economic and social development programme planned for 2000 to 2002. In addition to the fight against poverty, the programme's other aims were to continue efforts to rehabilitate the country, speed up the process of reform, promote recovery, growth and sustainable development, create jobs and improve competitiveness.

21. It was true that the Republic of the Congo had substantial resources in the form of oil and timber. The country had recently emerged from a period of illicit management of oil revenues by the previous Government, elected in 1992. During that period, much of the money gained from oil had been used to buy weapons. The Government currently in power was working to stop such practices and was prosecuting the leaders of the previous Government for economic crimes.

22. A law had been adopted in 1998 regarding the protection of forests in which oil production was being conducted. The law obliged oil companies to restore the forest environment when the oil deposits had been used up. Another problem was that of the uncontrolled burning and felling of trees by the population. The Government had adopted a policy of reforestation and had set up a national reforestation company to implement that policy. The Republic of the Congo had large areas in which eucalyptus trees were grown, the wood

being marketed for timber. Trees were also being planted in many areas affected by erosion. The Ministry of the Forest Economy had specific responsibility for issues relating to the forest environment.

23. The Government welcomed the support of the Office of the United Nations High Commissioner for Refugees and other organizations in providing aid to displaced persons. Many displaced people had recently returned to their homes and were receiving food and health aid. With regard to their employment situation, those people who had previously been employed in the public sector were able to resume their jobs and salaries when they returned to their former homes. The private sector was more complicated. If companies or their facilities had not been destroyed as a result of the war, people were able to resume their jobs without any problem. However, in other cases, large-scale reconstruction was needed. In 1997 and 1998, customs duties had been waived in an effort to assist the recovery of private companies. Although that measure was no longer in place, other forms of assistance were still available for new entrepreneurs.

24. Up-to-date unemployment and poverty statistics were not available because the most recent census had been conducted in 1984. A new census had been due in 1994 but, because the country had been in a state of civil war, the census had not been conducted until 1996. The results had still not been published due to the unstable situation in the country. However, the Government was working, through the National Centre for Statistics and Economic Studies, to obtain up-to-date information on demographic and social trends. Recent statistics regarding access to water supplies were also not available. However, according to the 1984 census, 65 per cent of the population had at the time had access to running water.

25. Agricultural production did not meet the requirements of the population. Projects set up over the past 10 years to achieve self-sufficiency had not been successful and the country was largely dependent on food imports, which had totalled a value of 75 billion Congolese francs in 1998. One of the aims of the aforementioned economic and social development programme was to reduce the country's dependence on food imports.

26. Mr. WIMER ZAMBRANO said he would like to know how many people were employed by the State, since that information would provide an indication of the progress of the country's structural reforms.

27. Mr. KOMBO (Republic of the Congo) replied that, according to the most recent data available, 50,000 civil servants were employed by the State. A census was under way to obtain up-to-date statistics. No recent statistics were available for the number of people employed in the private sector.

28. Mr. TAPLIN (International Monetary Fund) brought the Committee up to date on economic and financial developments in the Congo since 1996 and on the work of the International Monetary Fund (IMF) in the country. In June 1996 the IMF had approved a three-year loan under the Enhanced Structural Adjustment Facility, which had subsequently become the Poverty Reduction and Growth Facility, with the aim of fostering output and growth. That programme had been overtaken by the outbreak of civil war, which had resulted in

thousands of casualties and massive destruction in Brazzaville. The country's economy and infrastructure had been severely damaged. Public finances had deteriorated to the point where the budget deficit had risen to 7.5 per cent of gross domestic product (GDP).

29. When the new Government had assumed power in November 1997, it had begun implementation of a three-month emergency programme with support from the United Nations, the European Union, France and non-governmental organizations, with a view to restoring basic living conditions and rebuilding the country's institutional and administrative capacity. As part of that effort the IMF had approved a loan of about US$ 10 million in mid-1998 under its emergency post-conflict assistance programme. For the country to qualify for such a loan, the Government had had to demonstrate that it was working toward a full-fledged medium-term adjustment programme. Unfortunately, the renewed outbreak of civil unrest in late 1998 had blocked the Government's efforts.

30. In October 1999 the authorities had declared that the civil war was over, and in December a peace agreement had been concluded, although hostilities had subsequently continued on a reduced scale. The latest fighting had reportedly left the administrative, health and other infrastructure south and south-west of Brazzaville and along the border with Gabon entirely destroyed and the vital rail link between the capital and Pointe Noire severely damaged.

31. The total damage of the civil war had been estimated at US$ 1.5 billion, or about 55 per cent of GDP. The IMF had estimated that real GDP had fallen by about 0.7 per cent in 1999, owing mainly to a decline in sectors other than petroleum production, which had in fact increased. The war and a lack of oil receipts in 1998 and early 1999 had meant that the Government had become systematically dependent on treasury advances to finance expenditure, which had grown for security and humanitarian emergency spending but had fallen for all other budget items. Although in 1999 the tax collection system had been partially restored and oil receipts had increased, resulting in a budget surplus, external arrears had continued to accumulate, and had reached 94 per cent of GDP by the end of the year.

32. In early April 2000, an IMF team had visited Brazzaville and had worked with the authorities to prepare a macroeconomic framework to stimulate reconstruction by taking advantage of the higher price of oil. A return to economic growth, subdued consumer price increases, improved Government finances and a settlement of arrears were foreseeable, but a substantial financial gap might appear. The IMF team had found that the ability to implement basic policies had been restored, and that the tax and customs services had improved to the point where they were functioning at about 60 per cent of capacity and improving steadily. Treasury management and expenditure control had also improved, although a lack of proper coordination had been apparent.

33. A basic law on financial operations had been adopted, and a decree on public accounting had been prepared and was about to be issued. Another decree, which had already been adopted, subjected the oil companies to value-added tax (except for exploration and extraction operations). The authorities were committed to avoiding tax exemptions and to adhering to established budgetary procedures.

34. The World Bank was assisting in the restoration of a viable and effective banking system. The petroleum sector was being reformed, with HydroCongo, the former public petroleum company, liquidated and its filling stations sold to private distributors. The country's oil refinery had been rehabilitated, was once again in operation and was about to be privatized. Privatization was also continuing in the utilities and other sectors, including forestry. IMF staff were preparing for a full consultation with the authorities to identify the basis for future financial support.

35. Mr. MASUKU (Food and Agriculture Organization) said that the World Food Summit Plan of Action set out inter alia the full and progressive implementation of the right to food as a means of achieving food security for all. The right to food could be ensured only if food was available and if the population had access to it. The Republic of the Congo had a population of just under 3 million and a per capita gross national product of $690 in 1998. It had been classified as a low-income food deficit country, and was facing exceptional food emergencies in 2000.

36. The country's major food crops were roots and tubers, fruit and cereals. Imports of course grains were expected to reach about 140,000 tonnes in 2000, or 97 per cent of cereal consumption, of which 120,000 would be commercial imports and 20,000 tonnes would be brought into the Congo as food aid. Food insecurity was widespread and chronic, and often led to undernourishment. The proportion of undernourished people had risen from 29 per cent in the early 1980s to 34 per cent in the mid-1990s, while the share in developing countries had declined from 29 per cent to 18 per cent over the same period. People displaced as a result of the recent fighting were vulnerable to severe malnutrition, and a number of nutrition centres had been opened for that group. It was expected that the food supply would improve in the capital once the railway link reopened from Pointe Noire to Brazzaville.

37. The Food and Agriculture Organization (FAO), which had a representative posted in the Congo to supervise field projects and advise the Government, was funding three operational projects, which respectively provided inputs for farmers, rehabilitated the agricultural statistics system and supported the adoption of legislation on the fauna. A fourth project, funded by the Government of Sweden and implemented by FAO, provided urgently needed agricultural inputs and support for coordination efforts. Another FAO programme which could be beneficial in the Congo was the Special Programme for Food Security (SPFS), which promoted enhanced access to food by means of low-cost, small-scale agricultural projects. Implementation of the SPFS, which was currently active in 54 countries, had been delayed in the Congo by the civil war. FAO's South-South cooperation initiative too could provide the country with experts, technicians and know-how from advanced developing nations.

38. Lastly, he took the opportunity to recommended that the Committee refer in its work to an extremely valuable publication recently issued by FAO, entitled The State of Food Insecurity in the World 1999.

39. Mr. CEAUSU (Country Rapporteur) said that the discussion of the situation in the Congo was the first time the Committee had debated, in the presence of a substantial delegation from the country concerned, the implementation of the Covenant by a State party which had not submitted a report. Despite some initial misgivings as to the usefulness of such an exercise, he

felt that all the Committee members concurred that the dialogue with the delegation had been extremely useful. The Committee members had gained a better understanding of the situation in the country, and had understood that the Congolese authorities had had to establish certain priorities, the first of which had been to consolidate the peace. In addition, it was clear that the authorities were well organized, had an understanding of the country's problems and were making intensive efforts to overcome the acute social and economic problems confronting the Congo. They had met with some success in restoring normal conditions for the population. Referring to the statements made by the representatives of the World Bank, IMF, FAO and ILO, he said the Committee was reassured that the Congo was not confronting those difficulties alone and that the international community was duly concerned, as were other countries. The evaluation made by the IMF team appeared to be particularly encouraging.

40. The Committee would proceed with an examination of the draft concluding observations, taking into consideration the valuable information provided by the Congolese delegation and the representatives of the specialized agencies.

41. The CHAIRPERSON said that the presence of the delegation and the constructive atmosphere of the discussion demonstrated the Government's openness and commitment to the Covenant and the seriousness with which it took its obligations. The Committee looked forward to receiving the initial report of the Congo in the near future. The Government could avail itself of the technical assistance of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its preparation of that report.

42. Mr. MENGA (Republic of the Congo) expressed his satisfaction that the Committee had permitted the delegation to describe the difficulties facing the country. The delegation took very seriously the comments which had been made during the discussion. The specific requests for information by Committee members would receive due attention in the initial report which the Congo would submit with the technical assistance of the OHCHR.

43. The delegation of the Republic of the Congo withdrew.

The meeting was suspended at 5.05 p.m. and resumed at 5.10 p.m.

MISCELLANEOUS MATTERS (agenda item 9) (continued)

Activities of the Research and Right to Development Branch. Cooperation between the Committee and special mechanisms

44. Ms. GRANT (Chief of the Research and Right to Development Branch) said that a "quiet revolution" had been taking place in her branch as a result of two recent developments. One had been the creation by the Commission on Human Rights of new mandates for special mechanisms dealing with economic, social and cultural rights; previously, the special mechanisms had been almost exclusively focused on civil and political rights. The other had been the signing by the High Commissioner for Human Rights of the Memorandum of Understanding with the United Nations Development Programme (UNDP), which aimed to bring together the expertise of the Office of the High Commissioner for Human Rights with the development expertise and

field presence of UNDP. As a result of those two developments, her branch could focus on development issues and was able, thanks to the Memorandum of Understanding, to provide human rights input into the development process.

45. She invited the Committee to look upon the United Nations Development Assistance Framework (UNDAF), which was currently in place, as its "implementation arm". UNDAF was a framework within which the Committee's general comments and concluding observations could be used to provide guidance for UNDP teams working at country level and to set the agenda for their dialogue with Governments. The role of her branch was to transmit those comments and observations to the agencies in the field where they could be put to practical use.

46. The Commission on Human Rights, at its fifty-sixth session, had created two new mandates for special rapporteurs, one on the right to food and another on the right to adequate housing. She suggested that the Committee should hold consultations with the incoming mandate-holders, to provide them with advice and to act as a sounding board for them. The chief constraint on such cooperation, as always, was budgetary: generally, the funding available to special rapporteurs only covered two trips to Geneva and two missions a year. However, video-conferencing was proving a very useful alternative to face-to-face meetings, and could be employed more frequently.

47. In the context of UNDAF, her branch was carrying out research to clarify what exactly was involved in a rights-based approach to development. There was general agreement in the United Nations system on the desirability of such an approach, but more work needed to be done to identify precisely how it differed from a purely developmental approach. That work would be given considerable impetus with the forthcoming publication of the UNDP Human Development Report on the subject of human rights and human development, to which her branch had contributed.

48. While progress had been made, there was more ground to be covered. One of her branch's priorities was to provide an intellectually rigorous framework for the practical implementation of rights-based programming. Her branch was planning a series of consultations, both in-house and with agencies such as the United Nations Children's Fund (UNICEF) and the International Labour Organization (ILO), on how a normative framework could be applied in practice. She suggested that her staff could usefully consult with Committee members on that work as it went forward.

49. The CHAIRPERSON said she was sure Committee members would be glad to cooperate with and provide assistance to the Research and Right to Development Branch.

50. Mr. SADI asked how successful the branch had been in the uphill task of convincing Governments to pursue economic development within a human rights framework. While UNDP was uniquely placed to give an accurate picture of a country's record on economic, social and cultural rights, he wondered if by doing so it might not jeopardize its relations with certain Governments.

51. Mr. ANTANOVICH said that the children of all revolutions, even "quiet" ones, tended to need special care. The Committee had made a practice of involving not only Governments but

also non-governmental organizations (NGOs) and specialized agencies such as the World Bank and the IMF in its work. That practice had yielded some illuminating insights into the limitations of such bodies. A major effort was needed to ensure that the entire United Nations system paid more attention to economic, social and cultural rights. What mechanisms were available to the Committee to achieve that goal?

52. Mr. HUNT said that regular updates on UNDAF were especially valuable as the picture was changing so quickly. He welcomed the suggestion that the Committee should consult with incoming mandate-holders, provided that funding was available, and with the Research and Right to Development Branch in its work on the rights-based approach to development. If the Committee's concluding observations were to be useful to the Governments concerned, specialized agencies and others, it was critical that they should be accurate, practical and based on sound information. The Committee's relations with the specialized agencies were improving, which helped the Committee to produce more focused observations, but he had the impression that in-house information on States parties to the Covenant tended to be shared on an ad hoc and unsystematic basis. A wealth of information on States parties was available in the Office of the High Commissioner and if it were shared and made available more systematically to the Committee, the latter would be better able to produce more effective concluding observations.

53. Mr. RIEDEL endorsed the comments made by his fellow Committee members, and said there was already evidence of improved cooperation between the Office of the High Commissioner and the specialized agencies. He stressed that NGOs had a crucial role to play in the field of economic, social and cultural rights and should be helped, where possible, to find ways to finance their activities. He urged donor countries to increase their assistance to NGOs if possible. He welcomed the creation of the new mandates relating to economic, social and cultural rights. He was in favour of holding regular meetings between Committee members and mandate-holders in order to make the best use of the expertise of the special rapporteurs and to optimize the exchange of views. Meetings with the Special Rapporteur on the right to education had shown that such cooperation was a useful two-way learning process. By focusing in its concluding observations on the rights singled out for special consideration by the Commission on Human Rights, the Committee could encourage Governments to better fulfil and learn more about their obligations in the area of economic, social and cultural rights.

54. Mr. TIKHONOV (Secretary of the Committee), referring to the need to make the best use of in-house knowledge, said that the concluding observations on the Republic of the Congo would be prepared in close cooperation with the African team, the desk officer responsible for the Congo and any States that wished to make suggestions.

55. Ms. GRANT (Chief of the Research and Right to Development Branch) said that the Human Development Office, which produced the Human Development Report, was a separate and independent part of UNDP and so its findings were unlikely to cause problems for field officers.

56. On the question of how successful her branch had been in promoting a rights-based approach to development, she said she believed that success could be achieved in small steps. For example, a relatively small step, such as the inclusion in the Convention on the Rights of the

Child of a State's duty to register every child at birth, could have major repercussions on economic and social rights in terms of the child's access to education, inheritance rights and so on.

57. With regard to mechanisms for cooperation between the Committee and international financial institutions, she said there were still some economists who were uneasy with what they saw as an awkward normative framework, who were surprised at the level of ratification of human rights treaties and who were not fully aware of the widespread support within the United Nations system for a rights-based approach to development. There was clearly room for an educational process involving the human rights bodies and the financial institutions in the United Nations system.

58. She took note of the comments on the need to take advantage more systematically of the wealth of information available in-house. On the question of making the best use of expertise, she observed that the mandate on the right to adequate housing was defined in terms of treaties rather than rights or duties. That seemed to indicate some convergence between the more political mechanisms of the Commission and the treaty-based mechanisms.

59. Ms. SADDIER (Research and Right to Development Branch) said that, while it was too soon to speak of the success of UNDAF, there were already encouraging signs that Governments and specialized agencies were committed to integrating human rights in their development programmes. The focus in the specialized agencies was moving away from monitoring violations of human rights towards supporting Governments in their efforts to incorporate human rights in their programmes. Thanks to UNDAF, the work of the treaty-monitoring bodies, including the Committee's concluding observations, was able to reach a wider audience at the country level. There was a need for the treaty bodies to adapt their work to the needs of countries and United Nations agencies, as well as for those agencies and Governments to adapt to the new rights-based approach to development.

The meeting rose at 6.10 p.m.